

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

Case No. 3:24-cr-00209-FDW-DCK

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID PAUL DANIEL,

Defendant.

**UNOPPOSED MOTION TO
CONTINUE TRIAL AND
PRETRIAL MOTIONS
DEADLINES**

Defendant, David Daniel, moves the Court to continue trial to the next criminal trial term and correspondingly extend the deadline for any and all pretrial motions. In support of this Motion, Mr. Daniel shows the following:

1. Docket Call is currently set for November 3, 2025.
2. The Court entered a Memorandum and Recommendation ("M&R") on Mr. Daniel's Motion to Suppress or Dismiss on October 2, 2025.
3. Counsel has 14 days to file Objections to the M&R, making the deadline October 16, 2025.
4. The Government has 14 days to file a Response, making their deadline October 30, 2025.
5. An Order on the M&R will likely not be filed before the current docket call date of November 3, 2025.
6. The resolution of the suppression motion and objection to the M&R will have a significant impact on trial preparation and, potentially, case resolution.

7. In addition, counsel is court-appointed. As this Court knows, because of the government shutdown, and other budgeting issues, counsel has not been paid for CJA work, is not being paid, and will not be paid for an unknown amount of time. In fact, CJA attorney vouchers have not been paid since June 2025.

8. It will take counsel between two and three weeks to prepare for and try this case.

9. Counsel faces severe financial hardship if he devotes three weeks to this case rather than focusing on the retained matters on which he relies to support his law firm.

10. In addition, counsel planned to use an expert at trial. Counsel cannot go out of pocket to pay the expert without reasonable expectation of near-term reimbursement.

11. In similar fashion, Mr. Daniel is housed in a facility in Georgia. Counsel cannot cover expenses to travel to Georgia for trial preparation without reasonable expectation of prompt reimbursement.

12. The government does not oppose the relief requested in this Motion.

13. This Motion is not being filed for purposes of improper delay, but because the relief requested herein is necessary to serve the interests of justice.

WHEREFORE, Mr. Daniel respectfully requests that the Court continue trial to a later criminal term and correspondingly extend any pretrial motions deadlines.

Respectfully submitted this 8th day of October, 2025.

/s/ William R. Terpening
William R. Terpening

N.C. Bar No. 36418

TERPENING LAW PLLC

221 W. 11th Street

Charlotte, North Carolina 28202

terpening@terpeninglaw.com

(980) 265-1700

*Counsel for Defendant David Paul
Daniel*

CERTIFICATE OF SERVICE

I certify that I have filed this **UNOPPOSED MOTION TO CONTINUE TRIAL AND PRETRIAL MOTIONS DEADLINES** through the Court's CM/ECF system, which constitutes service on all parties.

Dated: October 8, 2025.

/s/ William R. Terpening
William R. Terpening